

**ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, JUNE 20, 2016,
7:00 P.M.**

Athens City Council met in Regular Session at the above hour with the following members present: Cochran, Fahl, Kotses, McGee, Papai, and Risner.

Also present: President Pro Tem Butler, Acting Mayor Knisely, and Law Director Eliason.

Papai moved to amend the Agenda to move forward Ordinances for First Reading to be considered just after Reports and Communications from Other Elected Officials; Fahl seconded. Amendment was approved unanimously.

Cochran moved to appoint Council Member Kotses to serve as Acting Clerk for this session of Council; Fahl seconded. Appointment was approved unanimously.

DISPOSITION OF MINUTES:

Fahl moved approval of the minutes of the Regular Session of Council held May 16, 2016; Cochran seconded. The minutes were unanimously approved as presented.

COMMUNICATIONS:

Council Member Cochran shared that the Athens County Public Library's summer reading program, for those who have expressed an interest in learning more about the bag reduction issue in Athens, can participate in a bag factory opportunity for children and families to construct their own bags. Additional information can be found online at (myacpl.org).

President Pro Tem Butler is in receipt of a new liquor permit (D1, beer only for on premises consumption or in sealed containers for carry out) request to GSC of Athens, Inc., dba Gold Star Chili, 70 West Union Street, noting that responses must be postmarked no later than June 13, 2016.

Papai noted that this address is currently the Union Street Diner, formerly Gold Star Chili.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Acting Mayor Knisely has no report, however, City Engineer and Public Works Director Andy Stone will be reporting this evening on issues that will be

coming before Council in the coming weeks.

Engineer & Public Works Director Stone requested the following:

- Replacement of the West State-Lancaster Street traffic signal prior to the Middle School's first day of classes in August. He will need authorization to expend up to \$75,000.
- Replacement of an air-conditioning re-charge device for use by mechanics, and disposal of the current unit to be used via trade-in upon purchase.

ORDINANCES FOR FIRST READING:

0-85-16

AN ORDINANCE AMENDING THE 2016 APPROPRIATION ORDINANCE.

0-86-16

AN ORDINANCE AUTHORIZING SIDEWALK ENHANCEMENTS ON WEST UNION STREET (PROJECT #305). Discussion: Director Stone noted that this legislation is for the scaled-down version of enhancements. The monies being appropriated will cover repaving of the street, new street lighting, bike racks, trees, and decorative pavement of the enhanced space.

Fahl clarified that a lot of this expenditure is for redevelopment of the area due to the fire, not just for the sidewalk expansion.

Kotses asked if the timeline for the street opening will be extended due to the additional work.

Stone responded that the reopening of the street will not be extended; it should still coincide with the timeline that the contractors supporting the reconstruction of the buildings anticipated. However, the sidewalk features will likely extend into September, possibly early October.

Kotses asked if the traffic counts completed while Ohio University was still in session are accessible.

Stone indicated that he can provide those.

Cochran asked if the cost of the Park Mobile equipment is included in this expenditure.

Stone responded that it depends on many factors; if he can, it will, if not, it will come from already appropriated parking funds.

ORDINANCES FOR THIRD READING:

0-74-16

AN ORDINANCE GRANTING VARIANCES FROM THE ATHENS CITY SUBDIVISION REGULATIONS FOR PROPERTY LOCATED AT 329 EAST STATE STREET AND 11 HUDSON AVENUE (LOT 660), OWNED BY J. RANDALL WHEATON, TO ALLOW A LOT SPLIT. Fahl moved for Adoption; Risner seconded. Adoption was approved unanimously.

0-75-16

AN ORDINANCE GRANTING A REVOCABLE LICENSE TO JOHN MOHLER, TIME WARNER CABLE, FOR THE PLACEMENT OF POWER SUPPLY CABINETS ON THE CITY RIGHT-OF-WAY. Fahl moved for Adoption; Risner seconded. Adoption was approved unanimously.

0-81-16

AN ORDINANCE AMENDING ORDINANCE 09-16; AUTHORIZING IMPROVEMENTS ON FRANKLIN AVENUE, PROJECT #301. Papai moved for Adoption; Cochran seconded. Adoption was approved unanimously.

0-82-16

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE A LEASE WITH THE FIRST PRESBYTERIAN CHURCH OF ATHENS, INC., OF ATHENS, OHIO, FOR THE RENTAL OF INLOTS 15 & 17 IN THE CITY OF ATHENS. Risner moved for Adoption; Fahl seconded.

Discussion: McGee noted that he has not received a response from the City Administration regarding whether APD vehicles can be parked either in the City's Parking Facility directly across the street, or on the street outside the Police Department. He questions the need for this costly lease agreement, and feels it is inappropriate to move forward at this time without those answers.

Fahl understands McGee's concerns, but indicated that this issue comes before Council every three years, and other options and alternative solutions have been creatively examined; the church lot continues to be the better option.

Risner feels parking APD vehicles in the City's Parking Facility is not a good idea, as the delay in time for responding to emergencies would be too great.

Acting Mayor Knisely respects Council Member McGee's comments and suggested approval of this renewal period, and if it is a goal of the City Council Finance Committee moving forward, that a search for parking alternatives begin now with the Administration for the next contract period beginning in 2019, rather than a month prior to the renewal.

Adoption was approved by a 6/1 vote, with McGee voting in opposition.

0-84-16

AN ORDINANCE AMENDING ORDINANCE 08-15; TO INCLUDE REDESIGN OF THE STIMSON MURAL. Butler moved for Adoption; Fahl seconded.

Discussion: Cochran supports the public art project, but suggested the Athens Municipal Arts Commission (AMAC) may want to reconsider placing art on the WWTP clarifiers. She feels artwork would be wasted at this location because it is behind a chain link fence that obscures the view, and the tanks are buried deeper now than when originally constructed, and the panels would now be physically smaller to view.

President Pro Tem Butler is aware that AMAC did recently acknowledge that very point, that the panels are closer to ground level than initially proposed.

Acting Mayor Knisely suggested possibly placing the public art in a more visible area at the WWTP facility.

McGee agrees with Cochran, public art should not be hidden.

Risner clarified that this legislation specifically places art on the WWTP clarifiers; any change would need to be by amendment.

Adoption was approved unanimously.

ORDINANCE FOR SECOND READING:

0-73-16

AN ORDINANCE AMENDING ATHENS CITY CODE, TITLE 11, BUSINESS REGULATIONS, TO ADD CHAPTER 11.12, REDUCTIO OF SINGLE-USE BAGS. Cochran moved to Table for the purpose of revision due to the feedback received from the community in order to craft a more tenable ordinance that will benefit both our ecosystem and our community; Fahl seconded. Tabling was approved unanimously.

RESOLUTION FOR SECOND READING:

R-09-16

A RESOLUTION TO PLACE THE ISSUE OF INCREASING THE CITY INCOME TAX BY TWENTY-HUNDREDTHS PERCENT (.20%) PER ANNUM BEGINNING JANUARY 1, 2017, ON THE BALLOT AT THE NEXT GENERAL ELECTION ON NOVEMBER 8, 2016; AND DIRECTING THE BOARD OF ELECTIONS OF ATHENS COUNTY TO CONDUCT THE ELECTION.

ANNOUNCEMENTS & OTHER BUSINESS:

The following committees will meet next Monday, June 13, at 7:00 p.m.:

- Finance & Personnel
- Transportation

OPPORTUNITY FOR CITIZENS TO SPEAK ON LEGISLATIVE ITEMS AND CITY SERVICES NOT COVERED ON THE AGENDA:

Diana West, Coventry Lane, is opposed to the proposed \$.10 single-use bag fee. It will be burdensome to and not good for businesses, the City already charges a recycling fee to City customers, and enforcement will be impossible. Consideration should be given to provide apartment complexes with recycling, currently they have no incentive to recycle and it all goes into the dumpster.

A resident of Albany and business owner in Athens expressed concern about tracking bag transactions. She also questioned why the City of Athens, part of Appalachia, plans to charge a \$.10 fee, while New York City only charges \$.05.

Cochran moved Adjournment; Fahl seconded, and the meeting adjourned at approximately 8:00 p.m.

President Pro Tem of Council

ATTEST:

Clerk of Council